

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

November 8, 2012

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W. Washington, DC 20554

Re: Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees Under Section 310(b)(4) of the Communications Act of 1934, as Amended, IB Docket No. 11-133

Dear Ms. Dortch:

In the above captioned proceeding, the Federal Communications Commission (FCC) proposed, among other options, the elimination from its current rules of the distinction between WTO and non-WTO Member investment in U.S. common carrier radio station licensees.

Current FCC practice imposes a non-trivial burden on applicants by requiring them to demonstrate whether foreign investors are from a WTO or non-WTO Member. The FCC notes that in the experience it has had with its current approach, it finds that it “in many cases it is not possible for companies to ascertain with confidence their percentage of non-WTO Member investment, particularly where the company is publicly traded or is owned in whole or in part by other companies that are publicly traded.”¹ The requirement also imposes a not insignificant burden on FCC staff to evaluate the information.

USTR writes to express its support for the FCC proposal to streamline its treatment of foreign ownership and investment under section 310 in a manner that eliminates this requirement, provided that agencies of the Executive Branch, and in particular USTR, continue to receive notice of such applications and retain the ability to file comments in opposition to such applications where trade policy issues are implicated.

Pursuant to Section 1.1206 of the Commission’s rules, an electronic copy of this letter is being filed for inclusion in the above-referenced dockets.

Respectfully submitted,



Christine Bliss
Assistant United States Trade Representative
For Services and Investment

¹ Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees Under Section 310(b)(4) of the Communications Act of 1934, as Amended, IB Docket No. 11-133, Notice of Proposed Rulemaking at para. 28.